

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

Filed 4-25-12
 Clerk, U. S. District Court
 Western District of Texas
 By [Signature]
 Deputy

United States of America

v.

Jose Fedencio Mendez CADENA, (1),
 Roberto LOERA, (2), and
 Jose DRISCOLL, (3),

Case No. SA-12-453M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 04/24/2012 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

18 § 371 to violate 18 § 544

Conspiracy to Violate Smuggling Goods from the United States

This criminal complaint is based on these facts:

Please see attached affidavit.

Penalties and fines: ⁵10 years Imprisonment; \$250,000 Fine; 3 years Supervised Release & \$100 mandatory Special Assessment.

☒ Continued on the attached sheet.

[Signature]
Complainant's signature

GREG JONES, Special Agent, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 4/25/2012

[Signature]
Judge's signature

City and state: San Antonio, Texas

PAMELA A. MATHY, U.S. Magistrate Court

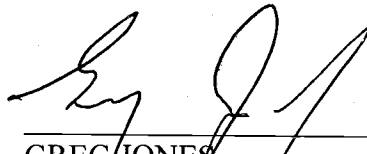
Printed name and title

Affidavit in Support of Criminal Complaint

On April 24, 2012, at about 10:30 AM, Homeland Security Investigations Special Agent Greg Jones and other law enforcement officers interviewed Jose Fedencio Mendez Cadena (hereafter referred to as Mendez) at his residence located on Santa Monica Drive in San Antonio, Texas for the purpose of determining his identity as it relates to his immigration status and lawful presence in the United States.


While interviewing Mendez, agents observed a Hispanic male in Mendez's backyard. Agents detained the Hispanic male and identified him as Roberto Loera. Loera told agents he was waiting on Mendez to take him to work at a construction job. In the rear of Mendez house and in various areas in the back yard, agents observed items related to firearms, including magazines for assault rifles and two plastic boxes used to store assault rifles. While at the residence, agents developed information which led them to believe Mendez and Loera had completed a transaction related to unlawful trafficking in firearms and as a result placed a lookout on a 2005 Dodge Ram Pickup truck which they believed was en route to the Mexican border.

Frio County Sheriff's Deputies subsequently located the vehicle in Pearsall, Texas, and conducted a traffic stop. The driver of the vehicle, Jose Driscoll, allowed law enforcement officers to search his vehicle. The officers discovered five (5) dismantled assault rifles and about \$49,000.00 in U.S. currency. During questioning, Driscoll admitted he was transporting the rifles to Mexico from the U.S. Driscoll also said that the guns were concealed in the Dodge Ram at Mendez's residence in San Antonio. During questioning, Mendez admitted his part in loading the rifles into the Dodge Ram and both Mendez and Driscoll said Roberto Loera participated. Although Loera, made no statements regarding his participation in the movement of illegal firearms, he allowed agents to search him and they discovered about \$1,100 in U.S. currency in his pocket.



GREG JONES
Special Agent, HSI

Subscribed and sworn to before me on this 25th day of April, 2012.



PAMELA A. MATHY
U.S. Magistrate Judge